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DISTRICT COURT OF GUAM

UNITED STATES OF AMERICA,
Plaintiff-Respondent,

vs.

NATARAJAN GURUMOORTHY,
Defendant-Petitioner.

Criminal Case No. No. 08-00043
Civil Case No. 11-00016

ORDER

On July 20, 2011, Defendant Natarajan Gurumoorthy filed an Application to Proceed in District Court without Prepaying Fees or Costs. *See* Civil Case No. 11-00016, Docket No. 2. However, the court requires further clarification of the Defendant’s financial status in order to determine his eligibility to proceed *in forma pauperis*. The Defendant indicated on his application that he has “2500” in a prison account and furthermore, he did not attach, as required by the application, “a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months for any institutional account in [his] name.” Docket No. 2.

Accordingly, it is hereby ordered that the Defendant file, within forty-five (45) of receipt of this Order, his prisoner trust account statement for the last six months. Upon the receipt of this statement, the court shall make a ruling on the Defendant’s application.

Additionally, in light of the court’s ruling that the Defendant’s Motion under 28 U.S.C. § 2255 was timely filed before the expiration of the one-year statute period set forth in 28 U.S.C. § 2255(f)(1), the Government is hereby ordered to file a response to the Defendant’s motion by

1 September 12, 2011. The Defendant shall file his reply, if any, within 45 days of the
2 Government's response.

3 **SO ORDERED.**



/s/ Frances M. Tydingco-Gatewood
Chief Judge
Dated: Aug 16, 2011